

REMARKS

Upon entry of the present amendment, claims 30 and 42 will have been amended by incorporating therein the limitations of claims 55 and 56, respectively. In addition, each of claims 30 and 42 will have been amended to define the destination as being distinct from the printer. Independent claims 43, 53 and 54 will have been similarly amended.

In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection together with an indication of the allowability of all the claims pending in the present application, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant wishes to make of record a telephone interview conducted between Applicant's undersigned representative and Examiner Pokrzywa with regard to the present application. During this interview which was conducted on July 15, 2004, the outstanding rejection of the claims as unpatentable over BOBO, II was discussed.

In particular, Applicant pointed out that, for example, claim 30 defines a communication apparatus which includes a printer and a scanner connected to a terminal apparatus by a network. The communication apparatus includes a receiver, a memory, a generator, and a communicator. Finally, the communication apparatus includes a controller which, in response to receipt of a designation of management data by the terminal apparatus

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and in response to receipt of a command output by the terminal apparatus, controls transmission of stored e-mail data corresponding to the designated management data to a destination in accordance with the command. Thus, the communication apparatus is connected to a terminal via network and sends predetermined data to a destination.

Additionally, claim 55, which has now been incorporated into claim 30, recites the destination as being distinct from the terminal apparatus. Thus, claim 30, as presently amended, requires the relationship and transmission of various defined data between three different and distinct devices, a communication apparatus, a terminal apparatus and a destination. Further, the claim makes reference to a printer. Thus, the printer is clearly distinct than the destination (as well as distinct from the terminal apparatus and the communication apparatus) at least by virtue of the different name attached thereto.

BOBO, II on the other hand, relates primarily to a system for storing, delivering and managing messages. As can be seen in Fig. 1, the message storage and delivery system 10 receives messages from a central office and transmits them, via the Internet, to a computer terminal apparatus.

In setting forth the rejection, the Examiner considered the printer disclosed by BOBO, II at column 9, lines 59-62, as comprising the recited destination. During the above-noted interview, Applicant traversed the above interpretation and submitted that it is not supported by the language of the pending claims. In particular, Applicant's representative pointed out

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that by identifying the printer in the preamble of claim 30 and the destination in the last recitation of claim 30 by different names, they are clearly distinct devices. Thus, the Examiner's interpretation of the disclosure of BOBO, II is submitted to be inappropriate and inconsistent with Applicant's claim recitations.

At the conclusion of the interview, the Examiner indicated that in order to consider Applicant's arguments, the recitations of claim 55 would have to be incorporated into claim 30 and the recitations of claim 56 would have to be incorporated into claim 42. Applicant has incorporated both of these limitations into the respective base claims. The Examiner also requested that the printer further be defined as being distinct from the destination in each of the claims. Accordingly, Applicant has also defined the printer to be distinct from the destination.

Moreover, during the above-noted interview, Applicant asserted and the Examiner agreed that the definition of the printer as being different or distinct from the destination is not a new issue, at least because such status is evident from the claim language in describing the destination by one term and the printer by another. Accordingly, Applicant has made the changes requested by the Examiner and respectfully requests reconsideration and withdrawal of the rejection at least based on such amendments. Similar amendments have also been made to the other independent claims 43, 53 and 54.

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Applicant respectfully thanks the Examiner for his cooperation during the above-noted interview, both in scheduling the interview as well as in conducting the same. The Examiner is further thanked for his positive approach towards the present application and for his constructive and helpful suggestions with regard to the outstanding rejection.

Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection and an indication of the allowability of all the claims pending herein in view of the present amendments and remarks.

BOBO, II relates to a message storage and delivery system which is connected to a public switched telephone network. The message storage and delivery system receives incoming calls, detects the type of call and stores the message signal in a database. The message storage and delivery system is also connected to the Internet and can receive requests from users over the Internet and has a hypertext transfer protocol daemon that receives requests from users. The hypertext transfer protocol daemon forwards requests for certain files or messages to a network server which transmits at least part of the messages to the user. In addition to requesting certain documents, the hypertext transfer protocol daemon may also receive a request in the form of a search inquiry which is forwarded from the hypertext transfer protocol daemon to an application program for conducting a search of the database. The results of the search are then forwarded to the user. The user can select one or more files or messages from the search results and may save the search for later reference.

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However, BOBO, II does not disclose the combination of features recited, e.g., in Applicant's claim 30 wherein it is recited, in the claimed combination, that in response to receipt of the destination of management data by the terminal apparatus and in response to receipt of a command output by the terminal apparatus, the controller transmits stored e-mail data corresponding to the designated destination data to a destination which is distinct from the terminal apparatus as well as from the printer in accordance with the command from the terminal apparatus. At least this feature, in the claimed combinations, is not taught, disclosed nor rendered obvious by BOBO, II or by any of the other references of record in the present application. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection together with an indication of the allowability of all the claims pending in the present application, in due course.

Applicant notes that the status of the present application is after Final Rejection and that Applicants are not entitled to amend an application once a Final Rejection has been issued. However, under the circumstances of the present application, Applicant submits that entry of the present amendment is appropriate and proper. In particular, Applicant has discussed the amendments to the claims and has obtained the Examiner's agreement that those limitations beyond the recitations of claims 55 and 56 that have been incorporated into the independent claims 30 and 42 do not raise new issues requiring further consideration or search. Accordingly, these amendments to the claims are merely clarifying amendments and

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do not require any further consideration or search. The identical amendments to the other independent claims should accordingly also not raise new issues requiring further consideration or search. Moreover, the present amendment, by defining over the art of record in the present application, clearly places the present application in condition for allowance. Accordingly, based on provisions of 37 C.F.R. § 1.116, entry of the present amendment is submitted to be proper and is thus respectfully requested.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believe that he has now done so. Applicant has amended the claims to clarify the recitations thereof and to even more clearly define over the reference relied upon by the Examiner. Applicant has made of record a telephone interview conducted between Applicant's undersigned representative and Examiner Pokrzywa in charge of the present application. Applicant has discussed the disclosure of the reference and has pointed out the substantial shortcomings and deficiencies thereof. Applicant has further discussed the recitations of the claims and has shown how the recitations clearly define over the disclosure of the reference cited by the Examiner. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

Applicant has further discussed the status of the present application as being after Final Rejection and with respect to such status has provided a basis for entry of the present amendment.

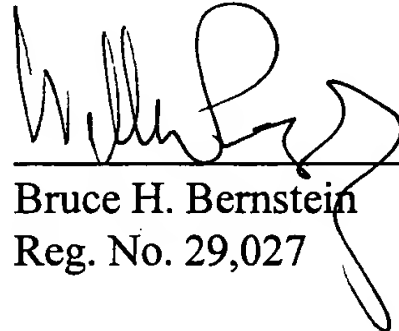
Accordingly, Applicant respectfully requests entry of the present amendment, reconsideration and withdrawal of the outstanding rejection and an indication of the allowability of all the claims pending in the present application, in due course.

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Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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